

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
HUA XIN,

Plaintiff,

-against-

UNITED STATES POSTAL SERVICE, et al,

Defendants.
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04 CV 2403 (NG) (VVP)

ORDER

GERSHON, United States District Judge:

The unopposed report and recommendation of Magistrate Judge Viktor V. Pohorelsky, dated May 26, 2005, is hereby adopted by the court. Pursuant to Federal Rule of Civil Procedure 41(b) and the court's inherent power, this action is dismissed without prejudice for failure to prosecute. The Clerk of Court is directed to close this case.

SO ORDERED.

/S/
NINA GERSHON
United States District Judge

Dated: Brooklyn, New York
June 20, 2005